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Pax Christi International

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-fourth session

Agenda Item 10

Administration of Justice and Human Rights of Detainees

Mr. Chairman,

Pax Christi drew attention in its statement under item 14 to the potentially dangerous situation in Abkhazia, where tensions were rising and fighting could break out unless the international community, in particular the Sub-Commission, took some action to persuade the parties, especially the Georgian authorities, to enter into negotiations about their differences. At that time there was no state of emergency.

Virtually no interest was shown in the situation. Yesterday some 200 people were killed by Georgian forces using more than 50 tanks, heavy artillery and helicopters. The conflict has reached the front pages of newspapers, because people are being killed. Now Abkhazia has been put under a state of emergency. Unless something is done now, this conflict will involve the entire region. Already Chechen armies and armies of other Northern Caucasus republics are on their way to defend their Abkhaz brothers and sisters. Chances are that Russian troops will also become involved.

How many people does it take to get killed, how much press attention in the West is needed, before the international community reacts? We are told that it is virtually impossible to bring a end to fighting such as that taking place in Yugoslavia. Because it is too late, we are told. But surely, an effort can be made to prevent the fighting from spreading, for example to Kosova, Sanjak or Macedonia. For months, indeed years, the people of Kosova have been warning the United Nations of Serbia's intentions and have appealed for diplomatic and moral support for the protection of their rights. Then, it was not a burning issue. Now it is too hot.

In East Timor demonstrators had to be killed also, before any serious attention was paid. Are we waiting for more violence before bodies such as this distinguished body speaks out? In Acheh and West Papua fighting is going on without film cameras

and in the South Moluccas the resistance is passive. Are these criteria for non-action?

Uygurs of East Turkestan and Mongolians of Inner Mongolia are being detained, tortured and imprisoned by the Chinese authorities for their struggle for freedom from alien oppression. In Tibet, the struggle is still a non-violent one, though the response --killing of unarmed demonstrators, summary executions, arbitrary arrests and torture-- is very violent.

Another alarming situation is that of Turkish Kurdistan. For 15 years the Kurdish provinces in Turkey have effectively been under state of emergency. The martial law state was replaced in July 1987 by the so called "Governorship of the Regions Under Extraordinary State". This state is one in which rights are restricted and the prerogatives of the executive are enlarged to the detriment of the authority of the legislative and judicial branches of government. Emergency provisions, moreover, enable the executive to act arbitrarily in the Kurdish regions. Unlawful detention, torture, summary executions (including activities of the "Death Squads", which killed more than 150 people this year) and involuntary disappearances are frequently connected to the exeptional powers granted to the security forces.

In Egypt, the continuing state of emergency over the past 11 years, with the exceptional powers this state provides to the security bodies, has led to arbitrary arrests and use of torture, according to various human rights organizations, including Amnesty International and Middle East Watch. Torture is not limited to political opponents, but also used against non-political deteinees in police stations. While strongly condemning the violence practiced by extremist Islamic groups, Pax Christi believes that the use of torture and other conduct iv violation of Human Rights do not promote a solution to problems. Rather they increase counter violence and geopardize the practice of democracy.

Finally, Mr. Chairman, Pax Christi would again like to express its concern about the violation of human rights of detainees in prisons and "Reform through Labor " camps in China. China's government report on conditions in Chinese prisons, released on August 11, can hardly be taken seriously. All evidence presented by former prison inmates and human rights organizations shows that conditions are deplorable: prisoners are tortured, forced to do work which is extremely hazardous to their health, and kept in crowded and unhygenic conditions. Political prisoners are kept with criminals, and many of them have not had a fair trial. We believe it is time the Sub-Commission address this issue and send a clear message to China that it cannot remain exempt from international scrutiny.

In these and other situations, the international community can have an impact on reducing systematic violations of human rights and preventing bloody conflicts. But it can be most effective if it acts before it is too late; before the heart-breaking pictures of suffering war victims cover the front pages of our papers.

The least the Sub-Commission can do is express concern about the situation in Abkhazia, Kosova, East Timor and China at this session. Other situations mentioned should also receive the Sub-Commission's attention. Otherwise, the message that will be received by the responsible governments, using emergency or other special powers, will be that they can get away with a tremendous amount before drawing attention of the international community; and by the people struggling for their rights, that only the voice of violence is heard. A sad statement which today is, sadly, close to the truth.

Thank you Mr. Chairman.